

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6175**

**BILL NUMBER:** SB 83

**NOTE PREPARED:** Feb 21 2008

**BILL AMENDED:** Feb 21, 2008

**SUBJECT:** Motor Vehicle Violations Report.

**FIRST AUTHOR:** Sen. Wyss

**FIRST SPONSOR:** Rep. Tinch

**BILL STATUS:** CR Adopted - 2<sup>nd</sup> House

**FUNDS AFFECTED:** ☒ GENERAL  
☒ DEDICATED  
☒ FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) This bill requires the Indiana Criminal Justice Institute (ICJI) to prepare a yearly report concerning the following:

- (1) probationary and restricted driving privileges for persons holding a commercial driver's license;
- (2) prosecuting attorney diversion and deferral limitations and the computer system established by the Indiana Prosecuting Attorney's Council;
- (3) e-citations;
- (4) ignition interlock programs and other alcohol monitoring systems and other alcohol abuse deterrent programs; and
- (5) procedures and practices regarding license suspensions or granting of restricted or probationary licenses for persons holding a commercial driver's license or for the arrest or conviction of persons concerning a violation of certain alcohol-related offenses.

It provides that the reporting ends January 1, 2014.

(The introduced version of this bill was prepared by the Interim Study Committee on Transportation Matters.)

**Effective Date:** January 1, 2009.

**Explanation of State Expenditures:** (Revised) For the ICJI there will be expenditures for the completion of the required annual report to the Legislative Council, due November 1 of each year. The report must be in an electronic format. The ICJI reports that based on similar reporting requirements, the anticipated expenditures will range between \$15,000 and \$20,000 annually. The funds affected are the state General

Fund, various dedicated funds, and federal funds.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

*Background Information on Commercial Motor Vehicle Violations-* Below is a table which shows the number of CDL cases in Indiana for FY 2006. The Judicial Technology and Automation Commission (JTAC) provided a summary of all CDL cases that Indiana's Trial courts disposed of between July 1, 2005, and June 30, 2006, the most recent year for which complete data are available.

Findings of Traffic Cases Involving CDL Holders Sent to the Bureau of Motor Vehicles Between July 1, 2005, and June 30, 2006.								
Case Type	Deferred	Dismissed	Guilty	Nolle Prosse	Non Pointable	Not Guilty	Probable Cause Court Finding	Grand Total
Felony A			1					1
Felony B		1	3				1	5
Felony C			5				3	8
Felony D	1	13	90		5		169	278
Misdemeanor	7	69	551		26	1	835	1,489
Infractions	3	32	20,863	1	1,072			21,971
Ordinance Violations			851		59			910
<b>Grand Total</b>	11	115	22,364	1	1,162	1	1,008	<b>24,662</b>

The JTAC staff reported 24,662 cases involving CDL license holders over this 12-month period. This equates to an average of 274 cases per county prosecutor per year. The number of non-CDL violations involving felonies and misdemeanors is unknown, but would add some to this total. The number of cases would vary by prosecutor.

**Explanation of Local Revenues:**

**State Agencies Affected:** Indiana Criminal Justice Institute; Prosecuting Attorneys' Council.

**Local Agencies Affected:**

**Information Sources:** Judicial Technology and Automation Commission; Jason Hutchens, Executive Director of the Indiana Criminal Justice Institute, 317-232-1300

**Fiscal Analyst:** James Sperlik, 317-232-9866.